

REDACTED VERSION
PURSUANT TO 35-A M.R.S.A. § 704(5)

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-328

July 16, 2002

Appeal of Consumer Assistance Division
Decision #2002-12075 Regarding Bangor
Hydro-Electric Company

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

We uphold the May 24, 2002 decision of the Consumer Assistance Division (CAD) finding that Bangor Hydro Electric Company (BHE) customer **[Customer]** is responsible for the outstanding balance on three accounts he established on November 2, 2001.

II. BACKGROUND AND DECISION

On February 26, 2002, **[Customer]** complained to CAD about high usage at a building he owns at 19 Central Street in Millinocket. The building has separate residences with three separate meters. **[Customer]** also questioned why he was being held responsible for the balance owed on the accounts rather than the tenants.

CAD investigated the matter and issued its decision on May 24, 2002. CAD found that BHE had acted properly in placing the accounts in **[Customer's]** name, as this is what he requested when he purchased the building and established service. A transcript of the conversation with the BHE service representative confirms that **[Customer]** asked to have the accounts at that location put into his name. On January

22, 2002, **[Customer]** again confirmed that he wanted the accounts to remain in his name.

CAD found that BHE had acted properly and that **[Customer]** was responsible for the unpaid balances on all three accounts, which at that time totaled \$1,541.74.

On May 30, **[Customer]** appealed CAD's decision to the Commission. He claims that the transcript makes clear that he was only requesting a "landlord account" and that BHE was responsible for pursuing the individual tenants.

After reviewing the transcript and records, we agree with CAD's decision. **[Customer]** asked for the accounts to be placed in his name. If he wanted tenants to pay their own bill he would have had to have informed the tenants of that and both the tenants and he would have had to contact BHE to ask that the accounts be transferred from his name. There is no evidence that **[Customer]** ever took such action. He

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remains responsible for paying for electricity that passed through the meters connected to the accounts that he placed in his name. BHE acted properly in offering to conduct meter tests. If **[Customer]** still desires such tests, he should contact BHE. Therefore, we uphold the decision of CAD and decline to investigate this matter further.

Dated at Augusta, Maine, this 16th day of July, 2002.

BY ORDER OF THE COMMISSION

Raymond J. Robichaud
Assistant Administrative Director

COMMISSIONERS VOTING FOR: Nugent
 Diamond

COMMISSIONER ABSENT: Welch

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NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.